IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE BILAL NAZKI
and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 17147 of 2004

Between:
K. Giridhar, S/o. K. Nageswar Rao,
R/o. Plot No. 59,Sairam Colony, Vanasthalipuram, R.R. District.

..... PETITIONER

AND

1 The Registering Authority, Road Transport Authority, R.R. District.
2 The Assistant Motor Vehicle Inspector, Eluru.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in seizing and detaining the petitioner Vehicle bearing Registration No. AP-28 U-8267 and pursuant to the check report No. 182273, dt. 1-09-2004 and keeping the same in the Dy. Transport Commissioner Office as arbitrary and illegal, and further direct the respondents to release the said vehicle to the petitioner forthwith.

Counsel for the Petitioner:SMT.M.VINOBHA DEVI

Counsel for the Respondent No.: GP FOR TRANSPORT

The Court at the admission stage made the following O R D E R:

(Per the Hon'ble Sri Justice Bilal Nazki).

Heard learned Counsel for the parties. With their consent, the Writ Petition is being disposed of at this stage.

It appears that the petitioner's vehicle has been seized for violating the conditions of permit and on some other allegations. In the interest of justice, we dispose of this Writ Petition at this stage, directing release of vehicle subject to payment of tax due by the petitioner, without prejudice to his rights in the enquiry and further subject to filing an undertaking by the petitioner to the effect that he shall not alienate or in any way encumber the vehicle.

The Writ Petition is accordingly disposed of. No costs.

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(BILAL NAZKI, J)

23rd September, 2004.

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(S.ANANDA REDDY, J)

Note:Furnish C.C in two days
b/o
vrn

To

1 The Registering Authority, Road Transport Authority, R.R. District.
2 The Assistant Motor Vehicle Inspector, Eluru.
3 Two C.Cs to the Government Pleader for Transport,
High Court of A.P., Hyderabad (OUT)
4 Two C.D copies.